

Andrew L. Marshall

Attorney
MSBA Board Certified Civil Trial Specialist
612.376.1623
612.746.1223 fax
andym@bassford.com

BASSFORD REMELE
A Professional Association
33 South Sixth Street, Suite 3800
Minneapolis, MN 55402-3707

612.333.3000
612.333.8829 fax
www.bassford.com

June 30, 2005

Honorable Ann D. Montgomery
Judge of United States District Court
United States Courthouse
300 South Fourth Street, Courtroom 13W
Minneapolis, Minnesota 55415

Re: *Hettler v. Petters*
U.S. District Court File No. 02-1837 ADM/SRN
Our File No. 2704-1

Dear Judge Montgomery:

This letter is in response to Mr. Hettler's request for a continuance of the contempt hearing in the above referenced matter. Please be advised that defendants do object to Mr. Hettler's request for a continuance. Mr. Hettler is asking the request based upon his representation that he is in ill health because of a mid-May, 2005 stroke he suffered. Since this date, however, Mr. Hettler has filed motions with this Court and the 8th Circuit and appeared at the hearing in the Stayhealthy matter in front of Magistrate Judge Noel (Mr. Hettler was late and did not actually participate in the hearing, but apparently showed up after the hearing was concluded and the parties had departed).

Defendants certainly do not want to put Mr. Hettler in a situation where his health might be at risk. At the very least, however, defendants believe that it would be appropriate for Mr. Hettler to provide a letter from a doctor or other corroborating information that supports his claim that he has a medical reason for his request for a continuance.

Very truly yours,

s/Andrew L. Marshall

Andrew L. Marshall

ALM:mlr